

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JONATHAN L. WAINWRIGHT,

Plaintiff,

v.

MEDICAL DEPARTMENT CUYAHOGA
COUNTY CORRECTIONAL CENTER,
et. al

Defendants.

CASE NO. 1:17-CV-1621

OPINION & ORDER
[Resolving Doc. [18](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Plaintiff Jonathan L. Wainwright brings a prisoner civil rights action under [42 U.S.C. § 1983](#). On January 11, 2018, Wainwright filed a motion for appointment of counsel.¹

Appointment of counsel for prisoners proceeding *in forma pauperis* is governed by [28 U.S.C. § 1915](#), which states that “[t]he court may request an attorney to represent any person unable to afford counsel.”² The Sixth Circuit has stated:

Appointment of counsel in a civil case is not a constitutional right. It is a privilege that is justified only by exceptional circumstances. In determining whether “exceptional circumstances” exist, courts have examined the type of case and the abilities of the plaintiff to represent himself. This generally involves a determination of the complexity of the factual and legal issues involved.³

At this time, the Court declines to exercise its discretion to appoint counsel to represent Plaintiff Wainwright. Wainwright’s complaint shows a basic understanding of the legal process. The Court sees no exceptional circumstances warranting appointment of counsel.

¹ Doc. [18](#). Defendants opposed. Docs. [19](#), [20](#).

² [28 U.S.C. § 1915\(e\)\(1\)](#).

³ [Lavado v. Keohane](#), 992 F.2d 601, 605-06 (6th Cir. 1993) (internal quotations and citations omitted).

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Accordingly, the Court **DENIES** Plaintiff's motion for the appointment of counsel.

IT IS SO ORDERED.

Dated: January 31, 2018

s/ James S. Gwin

JAMES S. GWIN
UNITED STATES DISTRICT JUDGE